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Filing date: **04/29/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197518
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	JILL K. TOMLINSON COWAN LIEBOWITZ & LATMAN, P.C. 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES jkt@cll.com, trademark@cll.com, rar@cll.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Elise Kasell
Filer's e-mail	eck@cll.com, trademark@cll.com
Signature	/Elise Kasell/
Date	04/29/2011
Attachments	MATHLETICS Motion on Consent to Continue Suspension April 29, 2011.pdf ( 3 pages )(11508 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial Nos. 77/875,559 and 77/875,579

Filed: November 18, 2009

For Marks: MATHLETICS

Published in the Official Gazette: August 3, 2010

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ATHLETICS INVESTMENT GROUP LLC D/B/A :  
THE OAKLAND ATHLETICS BASEBALL :  
COMPANY, :

Opposer,

v.

3P LEARNING PTY LIMITED, :  
Applicant. :

Opposition No. 91197518

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**MOTION ON CONSENT TO CONTINUE SUSPENSION OF THE PROCEEDINGS  
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order continuing the suspension of the proceedings in this matter for a period of three (3) months, until **July 29, 2011**.

Applicant's counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

Since the last suspension, Applicant's counsel and Opposer's outside counsel spoke several times over the phone regarding Applicant's use of the applied-for mark MATHLETICS and possible settlement parameters and exchanged several emails in connection therewith. Subsequently, Applicant's counsel sent Opposer a letter outlining key settlement terms and showing Applicant's use of the applied-for mark. Opposer's outside counsel forwarded this letter (with its additional comments) to Opposer's in-house counsel for review and comments. The additional time is requested to allow Opposer's in-house counsel an opportunity to review

the settlement proposal and provide its comments to Opposer's outside counsel and for the parties to continue negotiating a potential settlement of this matter.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York  
April 29, 2011

COWAN LIEBOWITZ & LATMAN, P.C.  
Attorneys for Opposer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on April 29, 2011, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicant's attorney of record and correspondent, Barry F. Soalt, Esq., Procopio Cory Hargreaves & Savitch LLP, 525 B Street, Suite 2200, San Diego, CA 92101.

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/Elise Kasell/

Elise Kasell